



BOARD:

- Kathy Gustin Williams, PE, Chair
- William A. Lotz, PE, Vice Chair
- John E. Dority, PE
- Dr. Donald Grant, PE
- Stephen W. Cole, PE
- George W. Ames, PE
- David W. Jackson Jr., Public Member

STAFF:

- Warren T. Foster, PE, Executive Director
- Beatrice Labbe, Supervisor of Licensing
- Linda McPherson, Office Assistant

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FROM THE CHAIR:

By Kathy Gustin Williams, P.E.

It's an honor and privilege to serve as Chair of the P.E. Board. Ralph Sweet certainly left big shoes to fill.



Renewal Update

The license renewals went smoothly. We had 4302 active licensees by December 31st, 2007 and an additional 996 late license renewals by March 31st, 2008. Forty-seven percent of the renewals were on-line.

Continuing Education Audits

We decided to randomly audit 2 batches this renewal cycle. The licensees for the on-time audit have been notified and their submissions reviewed. We have just a few last questions to be answered to complete the first phase. The late-renewal licensees to be audited will be notified shortly.

Roster

The Roster with white cover containing the Fifty-Eighth Report was recently mailed out. It contains a wealth of information including the Executive Directors Report, Roster of Active Licensees on December 31st, 2007, roster of Retired Engineers, List of Contacts Lost with Previously Licensed Engineers, and copies of the current Statutes and Rules pertaining to licensing of professional engineers.

Much of this information is kept up to date and is available on the website. <http://www.maine.gov/professionalengineers/>

Exam Administrations

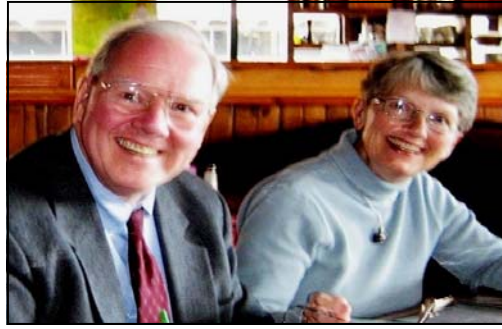
The FE and PE exams were administered on April 11th and 12th in Orono. One hundred twenty-seven sat for the FE Exam and 42 for the PE Exam.

B+30

There continues to be a national dialogue on the appropriate minimum educational criteria for Engineering Licensure. There is a movement to raise the educational criteria to a Master's Degree or a Bachelor's Degree plus an additional 30 credit hours in the year 2020 time-frame.

I was asked to serve on a Special Task Force for NCEES to flesh out some of the finer points of this issue dealing with approved courses and course providers for inclusion in the NCEES Model Law and Model Rules. The Model Law and Rules provide language that a state can adopt when making changes to their individual statutes and rules. Proposed legislation has already been introduced in Nebraska.

**RALPH F.
SWEET, P.E.
LEAVES THE
BOARD AFTER
10 YEARS OF
DEDICATED
SERVICE**



Ralph and his wife Meredith, pictured above, attend a farewell luncheon held in Portland.

After ten years of dedicated service to the State of Maine Board of Licensure for Professional Engineers, Ralph F. Sweet, P.E., resigned from the Board on December 31, 2007.

Ralph served on the Board from December 1997 until his resignation. He served as Chair of the Board for the last seven years. As Chair he has represented the Board at several legislative hearings dealing with changes to the Engineering Law. Recent law changes include the continuing education requirement, change of the term registered to licensed, and an act to exempt certain small construction projects from the requirement for engineering review.

Ralph was an observer on the Accreditation Board for Engineering and Technology (ABET) teams that were evaluating Maine's College Engineering Degrees on five occasions. During these visits, he made presentations to Maine engineering students on the value of licensure. He also spoke to students at Thornton Academy during career days. As a Board member, he attended training meetings for Code Enforcement Officials.

Ralph has been very active on committees of the National Council of Examiners for Engineering and Surveying (NCEES). He served one year as Vice Chair and two years as Chair of the Examination Policy and Procedures (EPP) committee. In addition to EPP he has also been a member of the Law Enforcement Committee and the Committee on Examinations for Professional Engineers. His perfect attendance record at these committee meetings demonstrates Ralph's conscientious approach to service. Ralph has served four years on the NCEES Electrical Professional Examination Committee which is responsible for writing the Electrical PE exam. He is continuing this work on the Electrical PE Exam as an emeritus member of the Board.

Over the past 10 years, the Professional Engineers of Maine have been fortunate to have Ralph involved with this Board. His commitment to the engineering profession and dedication to improving the quality of engineering in Maine have been appreciated by all of us who have worked with him during his tenure on the Board.

GOVERNOR APPOINTS NEW BOARD MEMBERS



The Maine Board of Licensure for Professional Engineers welcomed two new members to the Board at its March 20, 2008 quarterly meeting. David W. Jackson Jr. succeeds Paul M. Hamilton as the public member and George W. Ames, P.E. succeeds Ralph F. Sweet, P.E.

David W. Jackson Jr. joins the Board as its Public Member. His appointment runs from February 18, 2008 until March 17, 2010. David is an associate with the law firm of O'Donnell, Lee, McCowan & Phillips, LLC located in Waterville, Maine. David's practice includes criminal and civil litigation, municipal law, state and federal regulatory work, land use, contract drafting and negotiation, domestic relations and probate law. David is admitted to practice law in Maine and Massachusetts.

David came to the law later in life, enrolling in the Massachusetts School of Law in Andover, Massachusetts at the age of forty, after spending many years working in construction and sales. David did his undergraduate studies at Brigham Young University in Provo, Utah, where he received a Bachelor of Arts in English.

When David first arrived in Maine in 2005, while preparing to sit for the Maine bar, he worked for several months in the office of the Board of Licensure, where he developed a familiarity with the policies and procedures of the Board.

Prior to settling in Maine, David lived in Massachusetts, Utah, New Jersey, New York City and Paris, France.

David resides in Waterville with his wife and young son, where he also serves as Bishop of the Waterville Ward of the Church of Jesus Christ of Latter-day Saints.

George W. Ames, P.E., an Electrical Engineer, was appointed on January 14, 2008 to serve until December 22, 2011. George is the Past President in charge of engineering and operations for Ames, Hewett & Gifford, Consulting Engineers. His career includes more than 30 years of experience in design for construction of commercial, industrial, institutional, governmental and utility projects. He is presently a Senior Consulting Engineer with Ames, Hewett & Gifford. George is licensed in Maine, New Hampshire and Vermont.



George received a B.S. degree from Northeastern University in Electrical Engineering.

George is an active member of the National Society of Professional Engineers and the Maine Society of Professional Engineers, Downeast Chapter of the Illuminating Engineering Society of North America, and IEEE. He is a past member of the Maine Board of Elevators and Tramway Safety, Past President, Washburn- Norlands Living History Center, and past member of the Winthrop Board of Education, Winthrop, Maine.

George resides in Winthrop, Maine with his wife Pearl.



**Richard C. Hill, P.E.,
Licensed Since 1949**

By: Dr. Donald A. Grant, P.E.

Richard C. ‘Dick’ Hill (P.E. No. 845) has the distinction of being the oldest active licensed engineer in the State of Maine, and in honor of that milestone it gives me great pleasure to report to the readers of this newsletter some of Dick’s accomplishments over the past 62 years.

It was in 1946 that a young engineer from Lynn, Mass. made his debut as an assistant professor of Mechanical Engineering at the University of Maine. Professor Hill earned a Bachelor of Science Degree in Mechanical Engineering from Syracuse University in 1941. Between 1941 and 1946 he worked for the gas turbine-jet engine division of General Electric. He then moved to Maine to start his academic career in 1946. During several summers, while at the University, he worked for the Large Steam Turbine Division of GE and one summer he worked for Westinghouse Electric Corporation on the design of the first commercial nuclear power plant at Shippingport, PA. In December 2000 he was awarded an honorary Doctor of Science Degree from the University of Maine.

Dick was formally associated with the University of Maine for 46 years (1946 – 1992) as a Professor of Mechanical Engineering. He was also the Director of the Department of Industrial Cooperation for 30 of those years. During that time he was a dynamic and vibrant teacher, researcher, public advocate and role model to generations of Maine engineers. Although exceptionally competent in many areas of engineering his true love has always been energy and energy issues.

During the 70’s he did a weekly energy piece for public radio and also wrote a column for the Kennebec Journal. He continues to be a regular contributor to the Ellsworth American and frequently publishes his opinions on current energy issues in the Bangor Daily News and the Portland Press Herald. For the past fifteen years he has been co-host of a local ‘Hot and Cold’ home improvement call-in radio show. Professor Hill has spent much of the last 60 years researching energy conservation issues and providing common-sense information and advice for the citizens of Maine. Throughout his career he served on many state boards and commissions.

“During that time he was a dynamic and vibrant teacher, researcher, public advocate and role model to generations of Maine engineers.”

Richard C. Hill, P.E., cont'd. In October 2000 the College of Engineering honored Professor Hill by holding the ‘Dick Hill Pajama Party.’ The good-humored luncheon focused on a cotton pajama shirt adorned with formulas that was a gift to Professor Hill from a dozen or so students in his 1957 thermodynamics class. Students designed the shirt and embroidered it with the formulas and gave it to Dick during the last class before Christmas in 1957. He re-discovered the well-preserved tan pajama shirt a few months prior to the luncheon and gave it back to the Mechanical Engineering Department. It represented the students’ perception of Dick as a professor who would designate certain formulas to commit to memory with the phrase ‘that’s one to embroider on your pajamas.’ It was a well-attended event with nearly 100 former students there to pay their respects for his commitment and dedication to engineering education in Maine.

As far as we know, Dick has the lowest P.E. number (845) of any active licensed Professional Engineer in Maine.



On February 27, 2008, Governor Baldacci met with representatives and sponsors of Maine Engineers Week events and proclaimed February 25 to March 2, 2008 as Maine Engineer’s Week.

ENGINEER’S WEEK
By: Stephen W. Cole, P.E.



Future engineers interacting with EXPO exhibits

This year’s Engineering Week activities included a Continuing Education Symposium sponsored by the Maine Society of Professional Engineers (MeSPE) and the E-Week Banquet and Expo coordinated by the Maine Engineering Promotional Council (MEPC).

More than 100 engineers participated in the MeSPE Symposium. This educational opportunity included six interesting and timely presentations.

The banquet was held on Friday night, February 29th, at the Penobscot Valley Country Club in Orono, Maine. The speaker was Mike Fisher, Managing Director at NASCAR for Research and Development. He gave a very informative talk on all that goes into making auto racing as safe as possible.

The EXPO was held at the University of Maine field house in Orono on March 1st and was made up of 52 exhibitors including engineering firms, professional societies, and educational groups. Despite the snow, over 800 people attended and had a wonderful time interacting with the exciting exhibits.

Planning is already underway for the Maine Engineers Week 2009. The events will be held in the Portland area with the banquet in a facility to be announced. The EXPO will be held at the USM field house in Gorham.

DISCIPLINARY ACTIONS 2007/2008



**By: Stephen W. Cole, P.E.,
Complaint Officer for Board**

Complaint U06-003

Complaint filed against an unlicensed individual alleging the practice of professional engineering. The unlicensed individual had installed HVAC equipment at two separate projects. Investigation found that one of the projects was a replacement of equipment of like size and required no engineering. The other project utilized vendor sizing of the equipment and installation without the development of design drawings.

Resolution: Dismissal on the ground that there was insufficient evidence of a violation of Board's laws or rules.

Complaint E07-001

Complaint initiated by Board Action alleging a violation of the Code of Ethics. Licensee was convicted of federal tax evasion. Investigation revealed criminal conviction was not related to engineering practice.

Resolution: Dismissal on the ground that there is no evidence of a violation of Board's laws or rules.

Complaint E07-002

Complaint filed against Lewis P. Pelletier P.E. No.4537 alleging that the licensee had prepared design plans and specifications that were below the minimum competence standards expected with respect to multiple engineering disciplines including civil, architectural, structural, mechanical, and electrical. Such conduct constitutes professional negligence and a violation of Section I(b) ("licensees shall approve and seal only those documents that conform to acceptable engineering standards...") of the Board's Code of Ethics which is set forth in Chapter

2, Section 14 of the Board's Rules and is subject to discipline pursuant to 32 M.R.S.A. 1356(2).

Resolution: Consent agreement which includes admission of professional negligence, acceptance of formal reprimand, and payment of \$3000 fine.

Complaint E07-003 -

Complaint initiated by Board Action based on information contained in a newspaper article which raised the possibility of a conflict of interest between a client entity and the licensee which might have constituted a violation of the Code of Ethics. Investigation found that engineering contract work was complete prior to the licensee entering into other business agreements with the parties, and that all dealings were in the open and condoned by public commissions.

Resolution: Dismissal on the ground that there was no evidence of a violation of Board's laws or rules.

Complaint E07-004

Complaint filed against John J. Brochu P.E. No.3797 alleging that the licensee had placed his engineering seal on what was primarily a survey plan with no attempt to qualify the scope of the seal relative to the document.

Resolution: Dismissal on the ground that any errors committed did not rise to the level of a violation of Board's rules or laws. Issuance of a letter of guidance advising that a qualifying statement that the engineer is responsible for only the engineering be provided on future plans which contain both engineering and survey to disclose.

Complaint E07-005 -Complaint filed based on an initial complaint filed in Florida against an individual who is also a licensee in Maine. The complaint alleged misconduct regarding the structural design of screen rooms. The State of Florida investigated the complaint and determined it to be "legally insufficient" and closed the case.

Resolution: Dismissal on the ground that there was insufficient evidence of a violation of Board's laws or rules.

Disciplinary Actions cont'd.**Complaint E07-006**

Complaint filed against Benjamin Murray P.E. No.10128 alleging that the licensee had prepared design plans and specifications that were below the minimum competence standards expected with respect to electrical engineering. Such conduct is subject to discipline pursuant to 32 M.R.S.A. 1356(2)(professional incompetence) and a violation of Section II(a)(“licensees shall undertake assignments only when qualified....”) and II(c)(“licensees may accept assignments for coordination of an entire project, provided that each design segment is signed and sealed by the licensee responsible....”) of the Board’s Code of Ethics which is set fourth in Chapter 2, Section14 of the Board’s Rules.

Resolution: Consent agreement which includes admission of professional incompetence and violations of Sections II(a) and (c) of Board’s Code of Ethics, acceptance of formal reprimand, payment of a \$1500 fine, and completion of 5.0 professional development hours in accepted practice in design-build practice which is not eligible for credit toward standard continuing education renewal requirement.

Complaint E07-007

Complaint filed against Lewis P. Pelletier P.E. No.4537 alleging that the licensee had prepared design plans and specifications that were below the minimum competence standards expected with respect to electrical engineering and mechanical engineering related to heating and ventilation systems. Such conduct is subject to discipline pursuant to 32 M.R.S.A. 1356(2) and a violation of Sections I(b)(“licensees shall approve and seal only those documents that conform to acceptable engineering standards....”), II(a) (“licensee shall undertake assignments only when qualified....”), II (b)(“licensee’s shall seal documents dealing with subject matters only in which they are competent....”), and II(c) (“licensees may accept assignments for coordination of an entire project, provided that each design segment is signed and sealed by the licensee responsible....”) of the Board’s Code of Ethics which is set forth in Chapter 2, Section14 of the Board’s Rules.

Resolution: Consent agreement including admission to professional incompetence, acceptance of formal reprimand, agreement to limit permanently future practice to exclude all electrical engineering and mechanical engineering insofar as it pertains to the design of heating and ventilating systems, and to two years of probation during which practice will be subject to disciplinary peer review.

Complaint U07-001

Complaint filed against an unlicensed individual alleging the practice of professional engineering. The unlicensed individual had utilized an equipment supplier spread sheet program to provide sizing of mechanical heating and ventilating equipment.

Resolution: Dismissal on the ground that there was insufficient evidence of a violation of Board’s laws or rules.

**STATE OF MAINE
BOARD OF LICENSURE FOR
PROFESSIONAL ENGINEERS**

Schedule of Board Meetings:

June 12, 2008

August 21, 2008

SEALS: By: William A. Lotz, P.E.

Despite the many times we have discussed this issue in the Board Newsletter, we continue to see plans, specs, and reports with no P.E. stamp. **This violates State law.**

If you see a P.E.'s report, plans, or specs without the P.E. seal, the Code of Ethics **requires** you to send it to the Board for discipline. However, if the plan is preliminary, then it must be so marked with "Not For Construction".

If your Maine stamp contains the word **Registered**, it is **obsolete** and must immediately be replaced with a new stamp or seal using the new word: **Licensed**. It's the law.

[www.maine.gov/professionalengineers/]

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